
EVALUATOR MANUAL TRANSMITTAL SHEET

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| <u>Distribution:</u> ____ All Child Care Evaluator Manual Holders <u>X</u> All Residential Care Evaluator Manual Holders ____ All Evaluator Manual Holders | <u>Transmittal No.</u> 08GLR-01 |
| | <u>Date Issued</u> March 2008 |

Subject:

General Licensing Requirements

Reason For Change:

Section 80086 Alterations to Existing Buildings or New Facilities
Section 80087 Buildings and Grounds

Filing Instructions:

REMOVE — Pages 107, 108

INSERT — Pages 107, 107.1 & 108

Approved:

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3/26/08

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Date

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ARTICLE 7 PHYSICAL ENVIRONMENT**80086 ALTERATIONS TO EXISTING BUILDINGS OR NEW FACILITIES 80086****(a) PROCEDURE**

Determine if the alteration or new construction would require submission of a new application pursuant to Section 80034.

Inform applicants/licensees that alterations to existing structures or new construction must be approved by State or local building inspectors as mandated in the Building Code. Inform licensees that when local building regulations/laws require a permit and or building inspection the licensee is required to follow those laws and requirements. When there is a question, the LPA is to check with the local building authority to determine whether a permit/building inspection is required.

Inform the licensee that during all phases of alterations to the facility, the licensee is required to maintain the facility in compliance with Title 22 regulations. The licensee must protect the client(s) in care from any health and safety hazards during and/or resulting from construction. For example, if the construction process presents any danger, the licensee is responsible to ensure the clients have no access to that area.

During the renovation and reconstruction, the Licensing Program Analyst will need to keep track of the licensee's progress and insure the licensee is in compliance with the requirements of Title 22, section 80087. Consult with placement representatives (e.g., county workers or Regional Center staff) so they can ensure that clients' needs continue to be met throughout the alteration/construction process. The placement entity can also determine, given the individual's needs, whether the construction/alteration will impact their clients. When deemed necessary, the LPA is to make a case management visit to ensure there is no danger to clients.

(b)**POLICY**

When a licensee decides to renovate, reconstruct or add new construction to the facility, the State Fire Marshal or local fire authority must approve the building plans. The licensee should submit the floor plan with room dimensions and indication of the intended use of each room to the Regional Office. The Licensing Program Analyst may also provide consultation to a potential new licensee on renovation, reconstruction or new construction of a building that is intended for use as a facility. This consultation should only cover licensing laws and regulations, any questions regarding building and construction should be directed to the appropriate authority.

Inform the licensee or potential licensee that alterations to existing structures or new construction must be approved by a State or local building inspector as mandated in the Building Code.

Under the State Fire Marshall regulations, a copy of the approved plans and specifications shall be maintained at the job site during all phases of construction.

PROCEDURE

After the Licensing Program Analyst's review of the final floor plan, the **Regional** Office must submit a STD 850 (Fire Safety Inspection Request) to the State Fire Marshal or local fire authority.

If the renovation, reconstruction or new construction impacts the licensed capacity or the ambulatory status, the licensee must complete a new Application for Facility License (LIC 200).

Upon receipt of the report from the licensee that the construction is nearing completion, request a fire clearance (STD 850). Schedule a final site visit to (1) ensure that the construction has been completed in accordance with the floor plans submitted; (2) complete an analysis of accommodations; (3) confirm that the facility is in compliance for client occupancy; and (4) ensure that the facility meets all licensing regulations.

Placement representatives (e.g., county workers or Regional Center staff) as well as other government agencies may need to be included as consultants when determining if the facility can continue to operate during the alterations.

If a suspected building hazard to health and safety is identified during a site visit, discuss the problem with the licensee and document on the LIC 809 the plan of correction date for the licensee to arrange for a building inspection with an authorized building inspector.

80087 BUILDINGS AND GROUNDS**80087****(a) POLICY**

The presence of an environmental health and safety hazard in a community care facility is a violation of this section.

Suspected environmental hazards (e.g., asbestos) to clients in, or employees of community care facilities should be inspected by the agency having jurisdiction, i.e., the local building inspector, or county environmental health and sanitation agency. Safety hazards that pose a danger to certain clientele include but are not limited to uneven pavement, uneven door thresholds and exposed electrical wiring. The results of their inspection could be the basis for appropriate licensing decisions. This policy is also true for other referrals to health/sanitation agencies, (e.g., suspected water contamination, questionable waste disposal system). Refer to Section 80087(a)(2).

PROCEDURE

1. If a hazard is suspected, request an inspection from the agency having jurisdiction. If possible, conduct a joint inspection.
 2. If the inspection reveals the presence of a hazard that potentially may jeopardize the health and safety of clients/employees, cite this deficiency and establish a plan of correction and due date. The Plan of Correction should be developed jointly with the licensee/administrator and should be meaningful, understandable, measurable and verifiable. Plans of Correction should have realistic timeframes, and is subject to Departmental approval. In the joint development of the Plan of Correction, Licensing Program Analysts may need to offer suggestions to the facility representative regarding their Plan of Correction in order to create an effective plan and due date. The plan of correction and due date should ensure the health and safety of residents are met.
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